

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-FIRST LEGISLATURE

FIFTY-EIGHTH LEGISLATIVE DAY
TUESDAY, MARCH 6, 2012

House of Representatives

The House convened at 8 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Megan Fox, Page.

Approval of Journal

March 6, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-seventh Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

Consideration of Messages from the Governor and the Senate

March 5, 2012

Mr. Speaker:

I return herewith enrolled [H 389](#) which has been signed by the President.

NOVAK, Secretary

Enrolled [H 389](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 5, 2012

Mr. Speaker:

I transmit herewith [SCR 125](#), [SJM 105](#), [S 1293](#), [S 1338](#), [S 1341](#), [S 1350](#), [S 1351](#), [S 1352](#), [S 1353](#), and [S 1354](#) which have passed the Senate.

NOVAK, Secretary

[SCR 125](#), [SJM 105](#), [S 1293](#), [S 1338](#), [S 1341](#), [S 1350](#), [S 1351](#), [S 1352](#), [S 1353](#), and [S 1354](#) were filed for first reading.

March 5, 2012

Mr. Speaker:

I return herewith [H 484](#), [H 489](#), and [H 517](#) which have passed the Senate.

NOVAK, Secretary

[H 484](#), [H 489](#), and [H 517](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

March 6, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 634](#).

WILLS, Chairman

[H 634](#) was referred to the Revenue and Taxation Committee.

March 6, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 574](#), [H 419](#), [H 466](#), [H 467](#), [H 468](#), [H 498](#), and [H 482](#).

WILLS, Chairman

The Speaker announced he was about to sign enrolled [H 574](#), [H 419](#), [H 466](#), [H 467](#), [H 468](#), [H 498](#), and [H 482](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 6, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 417](#), [H 393](#), as amended, [H 455](#), [H 475](#), [H 446](#), and [H 358](#), as amended in the Senate, to the Governor at 11 a.m., as of this date, March 5, 2012.

WILLS, Chairman

March 5, 2012

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 584](#) and report it back with amendments attached to be placed on General Orders for consideration.

LAKE, Chairman

[H 584](#) was placed on General Orders for consideration.

March 5, 2012

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [H 608](#) and recommend that it do pass.

STEVENSON, Chairman

[H 608](#) was filed for second reading.

March 5, 2012

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [H 542](#) and report it back with amendments attached to be placed on General Orders for consideration.

STEVENSON, Chairman

[H 542](#) was placed on General Orders for consideration.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

[SCR 125](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

[SJM 105](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the Environment, Energy, and Technology Committee.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 635
BY WAYS AND MEANS COMMITTEE
AN ACT**

RELATING TO ADMINISTRATIVE RULES; CONTINUING CERTAIN RULES IN FULL FORCE AND EFFECT UNTIL JULY 1, 2013; CONTINUING RULES APPROVED OR EXTENDED BY ADOPTION OF A CONCURRENT RESOLUTION OF THE SECOND REGULAR SESSION OF THE SIXTY-FIRST IDAHO LEGISLATURE IN FULL FORCE AND EFFECT UNTIL JULY 1, 2013, OR UNTIL SUCH TIME AS THEY SHALL EXPIRE; PROVIDING THAT RULES REJECTED BY CONCURRENT RESOLUTION SHALL BE NULL, VOID AND OF NO FORCE AND EFFECT; AUTHORIZING AGENCIES TO AMEND OR REPEAL CERTAIN RULES PURSUANT TO THE ADMINISTRATIVE PROCEDURE ACT AND DECLARING THE EFFECT OF THIS ACT UPON ADMINISTRATIVE RULES; AND PROVIDING SEVERABILITY.

**HOUSE BILL NO. 636
BY APPROPRIATIONS COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE MILITARY DIVISION FOR FISCAL YEAR 2013; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION AND BENEFITS; AND GRANTING A CONTINUOUS APPROPRIATION FOR THE BUREAU OF HOMELAND SECURITY'S MISCELLANEOUS REVENUE FUND.

**HOUSE BILL NO. 637
BY APPROPRIATIONS COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE ATTORNEY GENERAL FOR FISCAL YEAR 2013; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; EXEMPTING APPROPRIATION FROM OBJECT AND PROGRAM TRANSFER LIMITATIONS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION AND BENEFITS.

**HOUSE BILL NO. 638
BY APPROPRIATIONS COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE OFFICE OF THE STATE APPELLATE PUBLIC DEFENDER FOR FISCAL YEAR 2013; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION AND BENEFITS.

**HOUSE BILL NO. 639
BY WAYS AND MEANS COMMITTEE
AN ACT**

RELATING TO CONTRACTS; AMENDING SECTION 29-110, IDAHO CODE, TO REVISE PROVISIONS RELATING TO LIMITATIONS ON THE RIGHT TO SUE UNDER CONTRACT AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 640
BY WAYS AND MEANS COMMITTEE
AN ACT**

RELATING TO THE CHILDREN AND FAMILIES LEGAL SERVICES FUND; AMENDING CHAPTER 16, TITLE 1, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 1-1626, IDAHO CODE, TO CREATE THE CHILDREN AND FAMILIES LEGAL SERVICES FUND IN THE STATE TREASURY, TO PROVIDE WHAT MONEYS IN THE FUND SHALL CONSIST OF AND TO PROVIDE FOR WHAT MONEYS IN THE FUND MAY BE EXPENDED; AMENDING CHAPTER 16, TITLE 1, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 1-1627, IDAHO CODE, TO PROVIDE FOR CHILDREN AND LEGAL SERVICES FUND GRANTS BY THE SUPREME COURT; AND AMENDING CHAPTER 16, TITLE 1, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 1-1628, IDAHO CODE, TO PROVIDE AN ADDITIONAL FEE FOR FILING AN ACTION FOR DIVORCE, CUSTODY, CHILD SUPPORT, PATERNITY, LEGAL SEPARATION AND ANY ACTIONS TO REOPEN OR MODIFY SUCH ACTIONS OR FOR FILING AN INITIAL APPEARANCE, CROSS-CLAIM OR COUNTER CLAIM, OR FOR FILING AN INITIAL APPEARANCE, CROSS-CLAIM OR COUNTER CLAIM IN ANY SUCH PROCEEDING TO BE DEPOSITED IN THE CHILDREN AND FAMILIES LEGAL SERVICES FUND.

[H 635](#), [H 636](#), [H 637](#), [H 638](#), [H 639](#), and [H 640](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1293](#), by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

[S 1338](#) and [S 1341](#), by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

[S 1350](#), [S 1351](#), [S 1352](#), [S 1353](#), and [S 1354](#), by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

[H 440](#), by Health and Welfare Committee, was read the second time by title and filed for third reading.

[HCR 44](#), [H 576](#), and [H 599](#), by State Affairs Committee, were read the second time by title and filed for third reading.

[S 1298](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[S 1299](#), by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

[S 1274](#), as amended in the House, by Transportation Committee, was read the second time by title and filed for third reading.

[H 562](#), as amended, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Twelfth Order of Business.

Consideration of General Orders

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Bedke. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Bedke in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

Report of the Committee of the Whole House

March 6, 2012

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration [H 587](#), [S 1243](#), as amended in the House, [H 594](#), [H 566](#), and [H 573](#) and report them back without recommendation, amended as follows:

HOUSE AMENDMENT TO H.B. NO. 587

AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 15 through 40; and delete pages 2 and 3, and insert:

"SECTION 1. That Section 41-306, Idaho Code, be, and the same is hereby amended to read as follows:

41-306. EXCEPTIONS TO CERTIFICATE OF AUTHORITY REQUIREMENT. A certificate of authority and application therefor pursuant to section 41-319, Idaho Code, shall not be required of an insurer with respect to the following:

(1) Investigation, settlement, or litigation of claims under its policies lawfully written in this state, or liquidation of assets and liabilities of the insurer (other than collection of new premiums), all as resulting from its former authorized operations in this state.

(2) Transactions thereunder subsequent to issuance of a policy covering only subjects of insurance not resident, located or expressly to be performed in this state at time of issuance, and lawfully solicited, written and delivered outside this state.

(3) Transactions pursuant to surplus lines coverages lawfully written under chapter 12 of this code, title 41, Idaho Code.

(4) Reinsurance, when transacted by an insurer duly authorized by its state of domicile to transact the kind of insurance involved.

(5) The continuation and servicing of life insurance or disability insurance policies or annuity contracts remaining in force as to residents of this state if the insurer has withdrawn from the state and is not transacting new insurance therein.

(6) A foreign insurer licensed and authorized to sell individual or group accident and sickness insurance in another state as defined pursuant to section 41-306A, Idaho Code, and the insurer obtains a certificate of authority pursuant to that section.

SECTION 2. That Chapter 3, Title 41, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 41-306A, Idaho Code, and to read as follows:

41-306A. INTERSTATE INSURANCE SALES. (1)

A foreign insurer subject to the jurisdiction of another state's insurance department or insurance commissioner and licensed and authorized to transact health or disability insurance in its state of domicile may offer and sell an individual or group accident and sickness insurance policy, as defined in section 41-515, Idaho Code, in Idaho as long as that individual or group accident and sickness policy provides the mandatory coverages this title 41, Idaho Code, requires for insurers.

(2) The director shall issue a certificate of authority to a foreign insurer to sell individual or group accident and sickness insurance policies in this state as long as that insurer is licensed in another state to sell individual or group accident and sickness insurance, remains licensed in that state to sell individual or group accident and sickness insurance and complies with the provisions of subsection (3) of this section. If an insurer is no longer licensed to sell individual or group accident and sickness insurance by its domiciled state, it shall be ineligible to do business in this state and its certificate of authority shall terminate immediately unless it obtains an independent certificate of authority in this state pursuant to chapter 3, title 41, Idaho Code, and complies with the provisions of this title 41, Idaho Code.

(3) In order for a foreign insurer to offer and sell individual or group accident and sickness insurance policies to residents of this state, the foreign insurer agrees that any dispute regarding its policies, benefits, contracts or coverages purchased by Idaho residents shall be governed by Idaho law, shall be either litigated in Idaho or have an alternative dispute resolution conducted in Idaho and shall appoint the director as its agent for service of process pursuant to section 41-333, Idaho Code. The foreign insurer submits to the jurisdiction of the department of insurance for all purposes under title 41, Idaho Code, and is subject to all provisions of title 41, Idaho Code, and rules promulgated thereunder applicable to insurers transacting accident and sickness insurance in Idaho. The foreign insurer must pay all fees and assessments provided by law under title 41, Idaho Code.

(4) Insurers selling policies in Idaho pursuant to this section shall comply with the provisions of section 41-402, Idaho Code, and remit the tax as provided in that section. In addition to the premium tax, insurers selling policies in Idaho pursuant to this section shall remit annually one percent (1%) of the amount of gross direct premiums written on policies covering persons in this state to the catastrophic health care fund created pursuant to chapter 35, title 31, Idaho Code.

(5) The department of insurance shall promulgate, adopt and enforce such rules and such methods of administration as may be necessary or proper to carry out the provisions of this section.

SECTION 3. That Chapter 5, Title 41, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 41-515, Idaho Code, and to read as follows:

41-515. INDIVIDUAL OR GROUP ACCIDENT AND SICKNESS INSURANCE DEFINED. "Individual or group accident and sickness insurance" means any policy insuring against loss resulting from sickness or from bodily injury or death by accident, or both. "Individual or group accident and sickness insurance" shall also include comprehensive major medical coverage for medical and surgical benefits and high deductible health plans sold or maintained under the applicable provisions of section 223 of the Internal Revenue Code.

SECTION 4. SEVERABILITY. The provisions of this act are hereby declared to be severable and if any provision of this act or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of this act."

CORRECTION TO TITLE

On page 1, delete lines 2 through 13, and insert:
"RELATING TO AUTHORIZATION FOR OUT-OF-STATE INSURERS; AMENDING SECTION 41-306, IDAHO CODE, TO PROVIDE EXCEPTIONS TO CERTIFICATE OF AUTHORITY REQUIREMENTS

FOR CERTAIN OUT-OF-STATE INSURERS AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 3, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-306A, IDAHO CODE, TO PROVIDE FOR INTERSTATE INSURANCE SALES, TO AUTHORIZE THE DIRECTOR TO DETERMINE IF PLANS SATISFY REQUIREMENTS, TO PROVIDE FOR LANGUAGE TO BE INCLUDED IN PLANS SOLD, TO PROVIDE FOR COMPLIANCE WITH IDAHO CODE ON PREMIUM TAX AND TO AUTHORIZE THE DEPARTMENT TO ADOPT AND PROMULGATE RULES; AMENDING CHAPTER 5, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-515, IDAHO CODE, TO DEFINE A TERM; AND PROVIDING SEVERABILITY."

HOUSE AMENDMENT TO HOUSE AMENDMENT TO S.B. NO. 1243

AMENDMENT TO THE AMENDMENT

On page 3 of the printed amendment, delete line 26, and insert:

"(c) If the applicant is a nonprofit agency, submit evidence to the department that the applicant has 501(c)(3)".

On page 4, delete lines 3 and 4, and insert:

"(4) On an annual basis, by December 1 of each calendar year, the sponsor of a special license plate program, shall prepare an"; and in line 13, following "provided," insert: "The provisions of this section shall apply to all special plate programs generating revenue outside of the department excluding military license plate programs."

HOUSE AMENDMENT TO H.B. NO. 594

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 41, delete "Provided however, that"; and delete line 42.

On page 2, delete lines 1 and 2; and in line 5, following "(5%)" insert: "of the total general fund receipts for the fiscal year just ending".

HOUSE AMENDMENT TO H.B. NO. 566

AMENDMENT TO SECTION 2

On page 6 of the printed bill, in line 43, following "jointly" insert: "if such amount has not been deducted in arriving at taxable income".

HOUSE AMENDMENT TO H.B. NO. 573

AMENDMENT TO SECTION 2

On page 1 of the printed bill, delete lines 36 through 40.

On page 2, in line 1, delete "(5)" and insert: "(4)"; and in line 3, delete "(6)" and insert: "(5)".

CORRECTION TO TITLE

On page 1, in line 6, following "STATE EMPLOYEES" delete ", TO PROVIDE FOR A CHOICE OF HIGH DE-"; and in line 7, delete "DUCTIBLE HEALTH PLANS".

We have also had under consideration [S 1269](#) and [H 515](#), report progress and beg leave to sit again.

BEDKE, Chairman

Mr. Bedke moved that the report be adopted. Seconded by Mrs. Higgins.

Whereupon the Speaker declared the report adopted.

[H 587](#), as amended, [H 594](#), as amended, [H 566](#), as amended, and [H 573](#), as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

[S 1243](#), as amended in the House, as amended in the House, was filed for first reading.

[S 1269](#) and [H 515](#) were retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

[H 621](#) - APPROPRIATION - STATE TREASURER

[H 621](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

Pursuant to Rule 38(3), Mr. Crane disclosed a conflict of interest regarding [H 621](#).

The question being, "Shall [H 621](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hart, Hartgen, Harwood(DeVries), Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Hagedorn, Vander Woude, Wood(35). Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 621](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 622](#) - APPROPRIATION - DEPARTMENT OF INSURANCE

[H 622](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall [H 622](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, Ellsworth, Eskridge, Gibbs, Guthrie, Hart, Hartgen, Harwood(DeVries),

Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, Nessel, Nielsen, Nonini, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Sims, Smith(30), Smith(24), Stevenson, Thayne, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 59.

NAYS – Barbieri, Barrett, Boyle, DeMordaunt, McMillan, Moyle, Palmer, Simpson, Thompson. Total – 9.

Absent and excused – Hagedorn, Vander Woude. Total – 2.
Total – 70.

Whereupon the Speaker declared that [H 622](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 518](#) - TOBACCO

[H 518](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. King to open debate.

The question being, "Shall [H 518](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – Harwood(DeVries). Total – 1.

Absent and excused – Vander Woude. Total – 1.
Total – 70.

Whereupon the Speaker declared that [H 518](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 572](#) - ELECTION CONSOLIDATION LAW

[H 572](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Buckner-Webb to open debate.

The question being, "Shall [H 572](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood(DeVries), Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [H 572](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 582](#) - INCOME TAXATION

[H 582](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Burgoyne to open debate.

The question being, "Shall [H 582](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood(DeVries), Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – Patrick. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 582](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 591](#) - UNCLAIMED PROPERTY

[H 591](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Luker to open debate.

The question being, "Shall [H 591](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood(DeVries), Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Bateman. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 591](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 593](#) - COMMUNITY INFRASTRUCTURE DISTRICTS

[H 593](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Luker to open debate.

The question being, "Shall [H 593](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood(DeVries), Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Bateman, Simpson. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 593](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 604](#) - EDUCATION

[H 604](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Pence to open debate.

The question being, "Shall [H 604](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barbieri, Barrett, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood(DeVries), Henderson, Higgins, Jaquet, Killen, King, Lacey, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shirley, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Anderson, Bateman, Lake, Shepherd, Simpson. Total – 5.

Total – 70.

Whereupon the Speaker declared that [H 604](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 496](#) - FISH AND GAME

[H 496](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Luker to open debate.

The question being, "Shall [H 496](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bell, Bilbao, Black, Boyle, Burgoyne, Chadderdon, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Guthrie, Hagedorn, Hart, Harwood(DeVries), Henderson, Higgins, Lake, Loertscher,

Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Pence, Perry, Raybould, Roberts, Schaefer, Shepherd, Simpson, Sims, Smith(30), Thayne, Thompson, Trail, Vander Woude, Wood(35), Mr. Speaker. Total – 49.

NAYS – Anderson, Bedke, Block(Block), Bolz, Buckner-Webb, Chew, Eskridge, Gibbs, Hartgen, Jaquet, Killen, King, Lacey, Patrick, Ringo, Rusche, Shirley, Smith(24), Stevenson, Wills, Wood(27). Total – 21.

Total – 70.

Whereupon the Speaker declared that [H 496](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[HJM 11](#) - AMENDMENTS CONVENTION

[HJM 11](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nielsen to open debate.

At this time, Mr. Moyle took the Chair.

The question being, "Shall [HJM 11](#) be adopted?"

Roll call resulted as follows:

AYES – Barbieri, Barrett, Bedke, Burgoyne, DeMordaunt, Guthrie, Loertscher, Luker, McGeachin, Nielsen, Roberts, Schaefer, Shepherd, Sims, Thayne, Thompson, Vander Woude, Wills, Wood(27), Wood(35). Total – 20.

NAYS – Anderson, Andrus, Bateman, Batt, Bayer, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Chadderdon, Chew, Collins, Crane, Cronin, Ellsworth, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood(DeVries), Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Marriott, McMillan, Moyle, Nessel, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Rusche, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Trail, Mr. Speaker. Total – 50.

Paired Votes:

AYE -- Loertscher NAY -- Ellsworth

(Pairs enumerated in roll call above.)

Total – 70.

Whereupon the Speaker Pro Tem declared [HJM 11](#) failed to be adopted and ordered the memorial filed in the office of the Chief Clerk.

Mr. Bedke asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bedke moved that the House adjourn until 1 p.m., Wednesday, March 7, 2012. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 10:27 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk